GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:4453
ANSWERED ON:14.12.2016
Strength of Officers in RAW and IB
Sundaram Shri P.R.

Will the Minister of LAW AND JUSTICE be pleased to state:

a) Whether the Government has any plans to make it mandatory for courts to serve summons through e-mails, fax and courier that could help in reduction of pendency;
b) if so, the details thereof along with the list of high courts which are yet to formalise and adopt IT tools for process service; and
c) the number of high courts which have completed the exercise of revising their civil and criminal court rules in this regard?

Answer

ANSWER
MINISTER OF STATE FOR LAW & JUSTICE AND
ELECTRONICS AND INFORMATION TECHNOLOGY
(Shri P.P. Chaudhary)

(a) to (c) Order V Rule 9(3) of the Code of Civil Procedure, 1908, as amended in 2002 provides that services of summons may be made by delivering or transmitting a copy therefore, inter-alia, by any other means of transmission of documents (including fax message or electronic mail service) provided by the rules made by the High Court. Amendment of the rules made by the High Court to give effect to this provision is within the domain of the judiciary.

High Courts are at various stages of adopting IT tools for process service and revising their civil and criminal rules, like Delhi High Court, which has issued practice directions regarding service of process also by email.